OCTOBER 24, 1949.*

Per Curiam Decisions.

No. 224. BASKIN *v.* INDUSTRIAL ACCIDENT COMMISSION ET AL. On petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, of California. *Per Curiam:* The petition for writ of certiorari is granted. It appears that the decision of this Court in *Bethlehem Steel Co.* v. *Moores*, 335 U. S. 874, affirming the decision of the Supreme Judicial Court of Massachusetts, 323 Mass. 162, 80 N. E. 2d 478, was not available to the District Court of Appeal at the time of its consideration of this cause. The judgment is vacated and the cause remanded to the District Court of Appeal for reconsideration in the light of *Bethlehem Steel Co.* v. *Moores, supra,* and *Davis* v. *Department of Labor*, 317 U. S. 249. See *Minnesota* v. *National Tea Co.*, 309 U. S. 551; *State Tax Comm'n* v. *Van Cott*, 306 U. S. 511. *Franklin C. Stark* and *Samuel B. Horovitz* for petitioner. *Everett A. Corten* for the Industrial Accident Commission; and *Oliver Dibble* for the Kaiser Company et al., respondents. Reported below: 89 Cal. App. 2d 632, 201 P. 2d 549.

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*MR. JUSTICE DOUGLAS took no part in the consideration or decision of the cases in which judgments and orders were this day announced.

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